

JOHANSSON
Serial No. 09/998,921

Atty Dkt: 2380-566
Art Unit: 2681

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicant basically:

1. Amends the Abstract.
2. Editorially amends the specification.
3. Respectfully traverses all prior art rejections.

B. PATENTABILITY OF THE CLAIMS

Claims 1, 3-6, 10-11, 13-16, 20-21, 23-26 and 30 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent 6,711,406 to Raith. All prior art rejections are respectfully traversed.

Applicant again vigorously asserts that Raith is not germane. Applicant's independent claims relate to a special method for starting a synchronization searcher. Raith instead pertains to start of handover per se based on historical information. Applicant's start of a synchronization searcher (peculiar to a CDMA system) as part of handover in a CDMA system is a far different matter than start of handover in general.

As stressed previously, the system actually disclosed in Raith is a TDMA system. Raith's oblique reference to a CDMA system (see col. 6, lines 1-3) does not provide a basis for bootstrapping teachings for starting TDMA handover into a specialized CDMA context for starting a synchronization searcher. Moreover, since Raith does not show an embodiment of a CDMA system, it is not clear where and how in a CDMA system any Raith contribution would be incorporated.

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Furthermore, examiner's citations of Schorman and Padovani are misapplied. Schorman and Padovani teach a window that is used to facilitate a handoff. Applicant's independent claims pertain to starting of a synchronization window. Thus the window taught by Applicant is used for a different purpose than those taught in Schorman and Padovani. Moreover, the window taught in Schorman and Padovani is used by the mobile device to find the base station. By contrast, Applicant's synchronization window is used by the base station to search for a mobile device to perform synchronization. Because the windows taught in Schorman and Padovani are not synchronization windows and because those windows are used by the mobile device, not the base station, Schorman and Padovani are not germane to Applicant's claims.

Thus, Raith is not related to the subject invention, even when Schorman and Padovani are applied. Raith is a TDMA system, with no basis for suggesting start of a specialized CDMA aspect of handover. Padovani and Schorman teach windows for mobile stations to begin handoffs in general with base stations. In marked distinction, Applicant's claims involve a CDMA system, and Applicant's window is used by the base station for synchronization.

C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

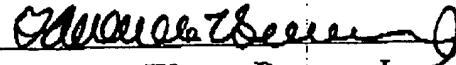
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Respectfully submitted,
NIXON & VANDERHYE P.C.

By:



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